APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,826	07/07/2004	David Attwater	36-1829	8492

23117   7590   09/02/2008
NIXON & VANDERHYE, PC
901 NORTH GLEBE ROAD, 11TH FLOOR
ARLINGTON, VA 22203

EXAMINER
SAINT CYR, LEONARD

ART UNIT	PAPER NUMBER
2626	

MAIL DATE	DELIVERY MODE
09/02/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/500,826	ATTWATER ET AL.
	Examiner	Art Unit
	LEONARD SAINT CYR	2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 August 2008*.

2a)☒ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5, 7 - 11,13-27, 29 -33 and 35-46* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5, 7 - 11,13-27, 29 -33 and 35-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *07 July 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some *   c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.　　A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 08/01/08 has been entered.

Response to Arguments

2.　　Applicant's arguments filed 08/01/08 have been fully considered but they are not persuasive.

　　Applicant argues that Coffman et al., do not teach that storage of input and output type data which is dynamically updated when any of said one or more properties change; and/or output prompts are sent; and/or input responses are received (Amendment, pages 18 - 21).

　　The examiner disagrees, Coffman et al., teach "the DMAF comprises a mechanism for conveying application properties to the CVM through the DMA. These applications can be local or distributed across different devices or machines. Such properties include the resources the application needs such as engine resources, data files, and the algorithm string for input processing the user input. The task manager is

a CVM component that communicates with the conversational engines, and, thus,

needs to know the algorithm string of the user input and when such string is modified

so that the task manager can instantiate and use the proper engines for processing

such user input. The DMA will also manage the output of these methods by passing it

to the appropriate components for processing, using an algorithm string, similar to the

algorithm string used for input handling (as described below), to control the response

processing and generation by the appropriate engines" (paragraph 60, lines 1 – 9;

paragraph 61, lines 6 – 10; paragraph 53, lines 1-5). Distributing application properties

such as, engine resources data files, and algorithm string for processing user input,

locally or across different machines implies storing input and output type data which

can be dynamically updated following every response, since resources application are

updated based on user input and output response.

Applicant argues that Coffman et al., do not teach using the properties of the

present claimed invention so as to establish a user preference value for each port and

to improve the interactive dialog presented to the user (Amendment, pages 21, and 22).

The examiner disagrees, Coffman et al., teach "The user may interact with the

different applications offered by the portal based on, e.g., a list of applications

subscribed by the user, user preference or user past history, or simply the result of the

evolution of the interaction of the user with the Portal" (paragraph 175). Interacting

with different applications offered by the portal based on user preference and

applications subscribed by the user implies establishing a user preference value for

each port and to improve the interactive dialog presented to the user.

Claim Rejections - 35 USC § 102

3.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

4.   Claims 1 – 11, 13 – 33, 35 - 46 are rejected under 35 U.S.C. 102(e) as being

anticipated by Coffman et al., (US PAP 2003/0005174).

        As per claims 1, and 23, Coffman et al., teach an interactive dialogue that

comprises:

        at least one input port; two or more output ports ("converts the abstract output

event into one or more modalities for presentation to the user"; paragraph 22, lines 6 –

8; paragraph 60, lines 9 – 12);

        means for processing input responses to determine the semantic meaning

thereof (paragraph 94, line 5);

        and control means for determining a suitable output prompt to be output from at

least one of said output ports in response to a received input response ("sending output

events to the appropriate engine"; paragraph 102, lines 4 – 7; paragraph 153);

        wherein said output ports are respectively arranged to output prompts of different

types ("pen recognition, speech recognition, TTS"; paragraph 153);

        a first store storing input and output type data indicative of one or more

properties of the input and output ports and/or the input responses and output prompts

communicated therethrough ("properties includes the resources the application needs

for processing the user input"; paragraph 60, lines 1- 9);

wherein said input and output type data is updated when: i) any of said one or

more properties change; and/or ii) output prompts are sent; and/or iii) input responses

are received ("The task manager is a CVM component that communicates with the

conversational engines, and, thus, needs to know the algorithm string of the user input

and when such string is modified so that the task manager can instantiate and use the

proper engines for processing such user input"; paragraph 60; paragraph 61, lines 6 –

10; paragraph 53, lines 1 - 6);

wherein one of said properties is the utilization made by a user of each input and

output port; and means for establishing from said properties for each of said input and

output ports a user preference value ("user may interact with the different applications

offered by the portal based on, e.g., a list of applications subscribed by the user, user

preference"; paragraph 153, lines 1 - 6).

As per claims 2, and 24, Coffman et al., teach an interactive dialogue that

comprises:

two or more input ports; at least one output port ("voice command, and typed

command"; paragraph 60; paragraph 22);

means for processing input responses received at one or more of said input ports

to determine the semantic meaning thereof(paragraph 94, line 5);

and control means for determining a suitable output prompt to be output from at least one of said output ports in response to a received input response ("sending output events to the appropriate engine"; paragraph 102, lines 4 – 7; paragraph 153);

wherein said input ports are respectively arranged to receive input responses of different types ("voice command, and typed command"; paragraph 60); the apparatus and method further comprising

a first store storing input and output type data indicative of one or more properties of the input and Output ports and/or the input responses and output prompts communicated therethrough ("properties includes the resources the application needs for processing the user input"; paragraph 60);

wherein said input and output type data is updated when: i) any of said one or more properties change; and/or ii) output prompts are sent; and/or iii) input responses are received ("The task manager is a CVM component that communicates with the conversational engines, and, thus, needs to know the algorithm string of the user input and when such string is modified so that the task manager can instantiate and use the proper engines for processing such user input"; paragraph 60; paragraph 61, lines 6 - 10);

wherein one of said properties is the utilization made by a user of each input and output port; and means for establishing from said properties for each of said input and output ports a user preference value ("user may interact with the different applications offered by the portal based on, e.g., a list of applications subscribed by the user, user preference"; paragraph 153, lines 1 - 6).

As per claims 3 and 25, Coffman et al., further disclose at least one additional output port, wherein said control means is further arranged to determine a suitable output prompt to be output from at least one of said output ports in response to a received input response ("sending output events to the appropriate engine"); and wherein said output ports are respectively arranged to output prompts of different types ("pen recognition, speech recognition, TTS"; paragraph 102, lines 4 – 7; paragraph 153).

As per claims 4 and 26, Coffman et al., further disclose that for any particular received input prompt, output prompts which are semantically synonymous (semantic meaning) or which mutually contribute towards a single semantic message independent of type are output from two or more of the output ports ("converts the abstract output event into one or more modalities for presentation to the user"; paragraph 94, line 5; paragraph 22, lines 6 – 8).

As per claims 5 and 27, Coffman et al., further disclose that each input or output port is adapted to connect to one or more input or output devices via respective device gateways ("input and output devices"; paragraph 172; paragraph 101, line 2).

As per claims 7, and 29, Coffman et al., further disclose that one of said properties is the connection of appropriate input or output devices to each of said input

or output ports ("properties includes the resources the application needs for processing

the user input"; paragraph 60).

As per claims 8, and 30, Coffman et al., further disclose that one of said

properties is user preference value for each of said input and output ports ("confidence

value"; paragraph 122).

As per claims 9, and 31, Coffman et al., further disclose that one of said

properties is device property data of input or output devices connected to said input or

output ports ("voice command and typed command"; paragraph 60, lines 9 – 12).

As per claims 10 and 32, Coffman et al., further disclose that one of said

properties is implementation data indicative of: whether an output prompt has been

implemented in each output prompt type and/or input parse rules for each input

response type (NLU parse tree…and data associated with a NLU process"; paragraph

103, lines 1 – 4; paragraph 122).

As per claims 11 and 33, Coffman et al., further disclose that one of said

properties is type-supported data indicative of whether the apparatus is capable of

receiving and/or outputting input responses and/or output prompts of each type

("converts the abstract output event into one or more modalities for presentation to the

user"; paragraph 22).

As per claims 13, and 35, Coffman et al., further disclose that the update of said data comprises instantiating new data structures ("hierarchical tree structure") to store the values of said changed properties, and storing said previous data to give a historical record of said data ("transaction history"; paragraph 13, line 7; paragraph 64, lines 1 – 4).

As per claims 14, and 36, Coffman et al., further disclose that said input and output type data further includes timing data indicative of the timings of changes in said one or more properties ("time stamped"; paragraph 163).

As per claims 15, and 37, Coffman et al., further disclose that said input and output type data comprises a single data entry for each input and output type, the value taken by a particular data entry being dependent on previous values of any one or more of that or other data entries ("top scoring query result"; paragraphs 66, and 122).

As per claims 16, and 38, Coffman et al., further disclose a second store data defining a dialogue to be held with a user, and dialogue progression conditions which must be met to allow a user to progress through the dialogue, at least some of said conditions involving the stored input and output type data ("for any given user input, arbitration mechanism will determine the target DMA instance managing the associated sub-dialog"; paragraphs 48, 49, and 59).

As per claims 17, and 39, Coffman et al., further disclose a second store storing data defining a dialogue model comprising an initial state, a plurality of subsequent states, possible transitions between said states, and for each transition at least one associated condition to be satisfied before that transition is deemed allowable, at least some of said conditions involving the stored input and output type data ("hierarchical tree structure that contains root, parent and children nodes"; paragraph 13; paragraph 49).

As per claims 18, and 40, Coffman et al., further disclose that the second store comprises a plurality of distributed storage media ("multimedia streams"; paragraph 104, line 15)

As per claims 19, and 41, Coffman et al., further disclose port control means for controlling the connections of input or output devices to said input or output ports in response to the stored input and output type data ("a mechanism for sending output events to the appropriate engine"; paragraph 153, lines 4 – 6).

As per claims 20, and 42, Coffman et al., further disclose means for generating output prompts ("compose prompts"), said means being operable to generate output prompts adapted for particular output ports in dependence on the stored input and

output type data ("a mechanism for sending output events to the appropriate engine";

paragraph 102, lines 4 – 7; paragraph 153, lines 4 – 6).

As per claims 21, and 43, Coffman et al., further disclose that first store

comprises a plurality of distributed storage media each logically interconnected

("multimedia streams"; paragraph 104, line 15).

As per claims 22, and 44, Coffman et al., further disclose that the different types

of output prompts or input responses comprise audio prompts or responses, or visual

prompts or responses, or motor prompts or responses, in any combination thereof

("text-to-display or prompt is provided"; paragraph 166, lines 17, and 18).

As per claim 45, and 46, Coffman et al., further disclose that a computer program

or suite of programs so arranged such that when loaded into a computer it or they

renders the computer an apparatus according to claims 1, and 23 (paragraph 180).

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to LEONARD SAINT CYR whose telephone number is

(571) 272-4247. The examiner can normally be reached on Mon- Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone

number for the organization where this application or proceeding is assigned is (571)-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

LS
08/26/08
    /Richemond Dorvil/
    Supervisory Patent Examiner, Art Unit 2626